

THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

ROCHE DIAGNOSTICS GMBH,
and

ROCHE DIAGNOSTICS CORPORATION,

Opposers,

v.

MEDLINE INDUSTRIES, INC.,

Applicant.

Proceeding No. 150,863

**MOTION WITH CONSENT FOR EXTENSION
OF TIME TO ANSWER OR OTHERWISE PLEAD**

Medline Industries, Inc., with the consent of the opposers, Roche Diagnostics GMBH and Roche Diagnostics Corporation, hereby requests a thirty (30) day extension of time to answer or otherwise plead to the Notice of Opposition in the above matter, to **July 2, 2002**.


This extension is requested to allow the parties additional time to attempt to negotiate a settlement that may resolve the opposition.

Counsel for Roche Diagnostics GMBH and Roche Diagnostics Corporation,
Andrea Gregory, consented to this extension on May 21, 2002.

Respectfully submitted,

PATTISHALL, McAULIFFE, NEWBURY,
HILLIARD & GERALDSON

By:


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CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR 1.10
"Express Mail" Mailing Label No: EL 930526611 Date of Deposit: May 24, 2002

I hereby certify that the document to which this Certificate is affixed is being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: BOX TTAB NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on the Date of Deposit shown above.



CERTIFICATE OF SERVICE

I, Jennifer E. Berner, attorney for Applicant, hereby certify that a copy of the foregoing MOTION WITH CONSENT FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD has been served upon Amy L. Rankin, Esq. and Andrea Gregory, Esq., Bose McKinney & Evans LLP, 2700 First Indiana Plaza, 135 North Pennsylvania Street, Indianapolis, Indiana 46204 this 24th day of May, 2002 by first class mail, postage prepaid.

Jennifer E. Berner

TTAB

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May 24, 2002

VIA EXPRESS MAIL

Assistant Commissioner for Trademarks
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Arlington, VA 22202-3513

Re: ACCUCARE
Serial No.: 76/210,082
Proceeding No.: 150,863
Our Reference No.: 00786-00013

Dear Sir:

Enclosed please find:

1. An original and two copies of a Motion With Consent For Extension Of Time To Answer Or Otherwise Plead; and
2. A stamped, self-addressed postcard, which we request be stamped with the date of receipt and returned to us.

Sincerely,

Jennifer E. Berner

JEB:la
Enclosure



05-24-2002
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